



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

LEE JASON JUESHENG,
a/k/a "iAlert,"
a/k/a "Jason Kato,"

Defendant.

-x

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-x

12 Cr.

12 CRIM 531

COUNT ONE

(Access Device Fraud)

The Grand Jury charges:

1. From on or about February 6, 2012, up to and including on or about February 21, 2012, in the Southern District of New York and elsewhere, LEE JASON JUESHENG, a/k/a "iAlert," a/k/a "Jason Kato," the defendant, knowingly and with intent to defraud, and affecting interstate and foreign commerce, trafficked in and used one and more unauthorized access devices during a one-year period, and by such conduct obtained things of value aggregating \$1,000 and more during that period, to wit, JUESHENG exchanged approximately 119 stolen credit card numbers for property with a value of approximately \$2,055.

(Title 18, United States Code, Sections 1029(a)(2) and 2.)

JUDGE CROTTY

COUNT TWO

(Aggravated Identity Theft)

The Grand Jury further charges:

2. From on or about February 6, 2012, up to and including on or about February 21, 2012, LEE JASON JUESHENG, a/k/a "iAlert," a/k/a "Jason Kato," the defendant, willfully and knowingly did transfer, possess, and use, without lawful authority, means of identification of other persons, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, JUESHENG transferred, possessed, and used, among other things, the names and credit card account numbers of other persons in connection with his commission of access device fraud, as set forth in Count One of this Indictment.

(Title 18, United States Code, Sections 1028A and 2.)

FORFEITURE ALLEGATION

3. As a result of committing the offense alleged in Count One of this Indictment, LEE JASON JUESHENG, a/k/a "iAlert," a/k/a "Jason Kato," the defendant, shall forfeit to the United States:

a. pursuant to 18 U.S.C. § 982(a)(2)(B), any property constituting, or derived from, proceeds obtained directly or indirectly as a result of the offense, including but

not limited to a sum of money representing the amount of proceeds obtained as a result of the offense; and

b. pursuant to 18 U.S.C. § 1029(c)(1)(C), any personal property used or intended to be used to commit the offense.

SUBSTITUTE ASSETS PROVISION

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value;

or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b)(1) and 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 982(a)(2)(B) and (b)(1), and Title 21, United States Code, Section 853(p).)

Kathleen Sacco OF
FOREPERSON

Preet Bharara
PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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INDICTMENT

12 Cr.

(18 U.S.C. §§ 1029(a)(2), 1028A, and 2.)

PREET BHARARA

United States Attorney.

A TRUE BILL

Kathleen Lucik

Foreperson.

7/11/12 Files IND. ASUM. TO S. CRIM.
ARREST WARRANT ISSUED. COFF USMJ